

### REMARKS

Claims 1-20 are pending. Claim 1 is amended herein. Claim 1 as amended is fully supported in the detailed description. No new matter is added to the specification as a result of the amendment. Applicants respectfully request reconsideration of the Application and Claims.

#### 35 USC 101 Rejection

Claim 1 is rejected under 35 USC 101 as containing non-statutory subject matter. In the outstanding Office Action it is contended that the terms “instance” and “exchange” are not clear. Applicants respectfully submit that these terms have been clearly defined in the Applicants’ specification. It is important to note that the use of the term “exchange” accords with its common usage as a web based portal for conducting e-commerce. Additionally, the term “instance” is clearly defined as comprising a database both in Applicants’ specification and in the Claims (see Claim 1). As the objected to terms either have been properly defined and/or accord with common usage, the basis for the 35 USC 101 rejection of Claim 1 is not valid. Accordingly, Applicants respectfully request the withdrawal of the 35 USC 101 rejection of Claim 1.

#### 35 USC 112(1) Rejection

Claim 9 is rejected under 35 USC 112, first paragraph, as failing to comply with the enablement requirement. In the outstanding Office Action it is contended that Applicants claim “in claim one that the common instance is a single database, however, claim 9 indicates that the common instance may be implemented over more than one database.” Applicant respectfully submits that the aforementioned characterization of the content of Claim 9 is inaccurate. Claim 9 recites that a database program runs on one or more computer systems. However, there is nothing in this Claim that indicates that a common instance be implemented over more than one database as alleged in the Office

Action. It should be noted that a single database program is not transformed into more than one database simply because it runs on more than one computer system. As the characterization of what is recited in Claim 9 is inaccurate, the stated basis for the 35 USC 112, first paragraph rejection is not valid. Accordingly, Applicants respectfully request the withdrawal of the 35 USC 112 rejection of Claim 9.

### 35 USC 102 Rejection

Claims 1-20 are rejected under 35 U.S.C. 102(a) as being anticipated by Covisint. Applicants have reviewed the cited reference and respectfully submit that the cited reference does not anticipate or render obvious the embodiments of the present claimed invention as set forth in Claims 1-20.

The Examiner is directed to Claim 1 which is drawn to a multiple exchange instance. Claim 1 is reproduced below in its entirety for the convenience of the Examiner:

1. A multiple exchange instance, comprising:  
a plurality of exchanges; and  
a common instance for implementing the exchanges, the exchanges sharing a set of common components and each exchange having a respective view having respective unique components, wherein the common instance comprises a database divided into a plurality of sub-schemas, and wherein each of the exchanges is implemented within a respective one of the sub-schemas providing a respective partial view of the common instance, and wherein each of the exchanges is allocated to a different merchant.

Claims 10 and 20 recite limitations similar to those recited in Claim 1. Claims 2-9 depend from Claim 1 and Claims 11-19 depend from Claim 10 and recite additional limitations of embodiments of the claimed invention.

As mentioned above, Applicants respectfully submit that Covisint does not anticipate or render obvious the embodiments of the claimed invention as set forth in the

aforementioned rejected Claims. Covisint is deficient as Covisint does not teach each of the limitations of the rejected Claims. In particular, Covisint does not teach or suggest a multiple exchange instance that includes a common instance for implementing a plurality of exchanges where the exchanges share “a common instance for implementing the exchanges, the exchanges sharing a set of common components and each exchange having a respective view having respective unique components” as is recited in Claim 1 (Claims 10 and 20 recite similar limitations).

Covisint discloses a planned automotive e-business trading exchange that is supported by General Motors, Ford and DaimlerChrysler automotive companies. Moreover, Covisint discloses that the e-business trading exchange will be presented as an integrated exchange for participants in the worldwide automotive industry. The Covisint reference focuses on advantages that will be provided by the exchange but does not disclose specific details related to the structure and organization of the trading exchange as is provided by embodiments of the present claimed invention.

The embodiment of the present claimed invention that is set forth in Claim 1 (Claims 10 and 20 recite similar limitations) includes a structure and organization that features: (1) a plurality of exchanges, (2) a common set of components that are shared by the plurality of exchanges, (3) components that are unique to each of the plurality of exchanges and (4) a sub-schema associated with each of the plurality of exchanges. In contrast, Covisint is silent as it relates to specifics concerning the structure and organization of the disclosed exchange.

Importantly, Covisint discusses an “integrated” exchange that provides services for all of its clients (General Motors, Ford, DaimlerChrysler etc.) but does not provide details as to how the integration is to be manifested (e.g., a single exchange that provides

service to all respective clients). Clearly, recited details of the claimed multiple exchange instance such as the recited plurality of exchanges that each possess unique views and components yet still maintain a common set of components are not taught or suggested. Furthermore, claimed elements (which provide even more detail related to the structure of the multiple exchange) within which the recited “plurality of exchanges” structure is nested such as the recited sub-schemas that are associated with the plurality of exchanges are likewise clearly not taught or suggested by the subject matter disclosed in Covisint.

Based on a review of the Covisint reference, Applicants respectfully submit that nowhere therein is a multiple exchange instance that includes a common instance for implementing a plurality of exchanges where the exchanges share “a common instance for implementing the exchanges, the exchanges sharing a set of common components and each exchange having a respective view having respective unique components” as is recited in Claim 1 (Claims 10 and 20 recite similar limitations) taught or suggested. Consequently, the embodiments of the present claimed invention as set forth in Claims 1, 10 and 20 are not anticipated or rendered obvious by Covisint.

Subject matter recited in dependent claims, such as Claim 2 provide additional examples of the non-obviousness of embodiments of the present claimed invention. In particular, as it regards Claim 2, Applicants respectfully submit that nowhere in Covisint is a common instance for implementing a plurality of exchanges that includes the above discussed limitation of Claim 1 and further includes the limitations “wherein the multiple exchanges are implemented within the common instance for facilitating communication between the exchanges” taught or suggested as is recited in dependent Claim 2.

Subject matter recited in dependent claims, such as Claim 3 provide additional examples of the non-obviousness of embodiments of the present claimed invention. In

particular, as it regards Claim 3, Applicants respectfully submit that nowhere in Covisint is a common instance for implementing a plurality of exchanges that includes the above discussed limitation of Claim 1 and further includes the limitations “wherein the multiple exchanges each have a respective operator, allowing the operator to perform input/output using the common components to perform the input/output for each of the multiple exchanges” taught or suggested as is recited in dependent Claim 3.

Therefore, Applicants respectfully submit that the rejection of Claims 1, 10 and 20 under 35 U.S.C. §102 is improper and that Claims 1, 10 and 20 are in condition for allowance. Accordingly, the Applicants respectfully submit that Claims 2-9 dependent on Claim 1 and Claims 11-19 dependent on Claim 10 are likewise in condition for allowance as being dependent on allowable base Claims.

### CONCLUSION

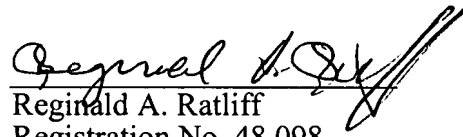
Applicants respectfully assert that all claims are now in condition for allowance and Applicants earnestly solicit such action from the Examiner. The Examiner is urged to contact Applicants’ undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Please charge any additional fees or apply any credits to our PTO deposit account number: 50-4160.

Respectfully submitted,

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